

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

**TERESA MILLS and CLINTON MILLS,
individually and as parents and guardians
of C.M.,**

Plaintiffs,

v.

Case No.: 3:22-cv-00592

**CABELL COUNTY BOARD OF EDUCATION,
JONNA DAVIS, MICKEY COPLEY,
TIFFANY BLACK, NATALIE MASTRANGELO,
and JOHN BAKER,**

Defendants.

**MEMORANDUM OPINION AND ORDER SEALING
MOTION TO ORDER INDEPENDENT PSYCHOLOGICAL EVALUATION
OF PLAINTIFF TERESA MILLS AND EXHIBITS**

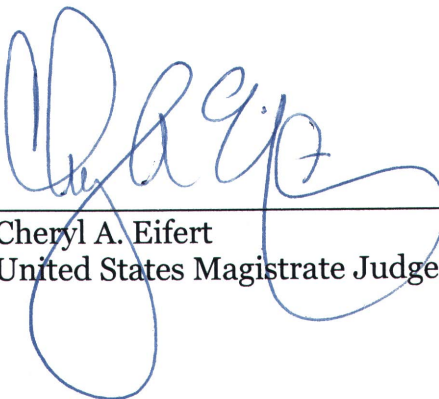
Pending before the Court is the Motion for Leave to File Under Seal of Defendants' Motion to Order Independent Psychological Evaluation of Plaintiff Teresa Mills, (ECF No. 110), requesting their Motion to Order Independent Psychological Evaluation of Plaintiff Teresa Mills and the attached exhibits be filed as sealed. The Court notes that the attached Motion and Exhibits contain confidential medical information. Due to the confidential nature of this information, this Court **GRANTS** Defendants' motion to seal and **ORDERS** the Clerk to seal Defendants' Motion to Order Psychological Evaluation of Plaintiff Teresa Mills and Exhibits. (ECF No. 110-1-7). The Motion to File under Seal, (ECF No. 110), should not be sealed.

The undersigned is cognizant of the well-established Fourth Circuit precedent recognizing a presumption in favor of public access to judicial records. *Ashcraft v.*

Conoco, Inc., 218 F.3d 288 (4th Cir. 2000). As stated in *Ashcraft*, before sealing a document, the Court must follow a three-step process: (1) provide public notice of the request to seal; (2) consider less drastic alternatives to sealing the document; and (3) provide specific reasons and factual findings supporting its decision to seal the documents and for rejecting alternatives. *Id.* at 302. In this case, the Motion to Order Psychological Evaluation of Plaintiff Teresa Mills and attached exhibits shall be sealed and will be designated as sealed on the Court's docket. The Court deems this sufficient notice to interested members of the public. The Court has considered less drastic alternatives to sealing the documents, but in view of the nature of the information set forth in the documents—which is information generally protected from public release—alternatives to wholesale sealing are not feasible at this time. Accordingly, the Court finds that sealing the Defendants' Motion to Order Psychological Evaluation of Plaintiff Teresa Mills and attached exhibits does not unduly prejudice the public's right to access court documents. Accordingly, the Clerk is **DIRECTED** to file the Motion to Order Psychological Evaluation of Plaintiff Teresa Mills and attached exhibits, (ECF No. 110-1-7) under seal.

The Clerk is instructed to provide a copy of this Order to counsel of record and any unrepresented parties.

ENTERED: November 16, 2023



Cheryl A. Eifert
United States Magistrate Judge